

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
Tallahassee Division**

REVEREND BRYAN G. FULWIDER, et al.,

Plaintiffs,

v.

Case No.: 16-cv-00765-RH-CAS

JUSTIN SENIOR, et al.,

Defendants.

**DEFENDANTS' NOTICE OF
PUBLICATION OF PROPOSED RULE RELATING TO PENDING
MOTION FOR A PRELIMINARY INJUNCTION**

Pursuant to Local Rule 7.1(J), Defendants hereby give notice of the publication in the Florida Administrative Register of the notice of rule development filed by the Agency for Health Care Administration (“AHCA”) and AHCA’s proposed amended Rule 59A-9.035, a copy of which is attached as **Exhibit A**. In addition, a copy of AHCA’s accompanying proposed registration form is attached as **Exhibit B**.¹

Consistent with AHCA’s representations in its submissions and arguments to the Court with respect to the pending Motion for Preliminary Injunction:

¹ Insofar as the Court deems it necessary, Defendants hereby request, pursuant to Fed. R. Evid. 201, that judicial notice be taken of the proposed amended rule and registration form. The link for the Florida Administrative Register, giving notice of rule development and providing ready access to the proposed amended rule and registration form, is <https://www.flrules.org/gateway/ruleno.asp?id=59A-9.035>.

- Proposed amended Rule 59A-9.035(1) clarifies that registration is only to be of non-exempt registrants “who are paid for the particular purpose of providing advice or assistance”;
- Proposed amended Rule 59A-9.035(1) further clarifies that registration is of non-exempt registrants who provide advice or assistance to persons “in obtaining abortions or pursuing alternatives to abortion”; and
- Proposed amended Rule 59A-9.035(2) and the proposed registration form clarify that only registration is provided for, and not licensure for which AHCA’s permission would be required.

In addition, the proposed registration form (in part 1.A.) clarifies that a registration applicant may provide a fictitious name and a post office box (to avoid revealing its location).

Moreover, neither the proposed rule nor the proposed registration form requires registration prior to advising or assisting persons pursuant to section 390.025, Florida Statutes.

Respectfully Submitted,

PAMELA JO BONDI
ATTORNEY GENERAL

/s/ Blaine H. Winship

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(J)

In accordance with Local Rule 7.1(J), the undersigned hereby certifies that the number of words in the above notice, exclusive of certificates of compliance and service, does not exceed 350 words.

/s/ Blaine H. Winship
Blaine H. Winship

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the Court using CM/ECF on this 13th day of February, 2017, and that service was thereby made upon all counsel of record.

/s/ Blaine H. Winship
Blaine H. Winship